



Montana Department of  
**ENVIRONMENTAL QUALITY**

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Judy H. Martz, Governor

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July 29, 2004

Dan Thede, Supervisor of City Services  
City of Libby  
P.O. Box 1428  
Libby, MT 59923

RE: Closure Letter [CVID #7273]

Dear Mr. Thede:

As you are aware, on June 10, 2004, I conducted a follow-up field investigation at Riverside Park in Libby, Montana. The follow-up field investigation was conducted because a previous field investigation documented violations of the Montana Water Quality Act (WQA) and the Montana Solid Waste Management Act (SWMA). Specifically, soil had been placed in the Kootenai River and in direct proximity of the river with minimal Best Management Practices (BMPs) in place to control erosion, and some asphalt was buried on the site.

The follow-up field investigation verified that BMPs had been implemented to prevent discharges of soil into the Kootenai River and the site had been stabilized with vegetation (field investigation report enclosed). During the remediation of the site, EPA did not find any significant stockpiles of asphalt, yet properly disposed of the buried asphalt that was found. Therefore, the site has been returned to compliance with the WQA and the SWMA and the Department is considering this complaint closed.

Please be advised, however, the Department reserves the right to require that additional assessment or remedial actions be conducted should new information be presented that indicates the site has not been returned to compliance. If you have any comments or questions, feel free to contact me at the telephone number listed below.

Sincerely,

Edward L. Coleman  
Complaint Management Section Chief  
Enforcement Division  
(406) 444-2964; fax (406) 444-1923  
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cc: Mayor Tony Berget, P.O. Box 1428, Libby, MT 59923  
Lincoln County Sanitarian, 418 Mineral Ave., Libby, MT 59923  
Craig French, DEQ Remediation Division  
Jim Christensen (EPR-SR), US EPA Region 8, 999 18<sup>th</sup> St., Suite 300, Denver, CO 80202-2466  
Complainant

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